

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MARY DESMOND, THOMAS ZIOBROWSKI,)
PAUL WATTS on their own behalf and on)
behalf of other participants in the defendant ERISA)
Plans)

Plaintiffs,

v.

Civil Action No. 05-cv-10355 NG

MORTON C. BATT, ANTHONY L. SCIALABBA,))
CITISTREET, LLC, WHITE & WILLIAMS, LLP,)
SCIALABBA & MORRISON, P.C.,)
ANTHONY L. SCIALABBA & ASSOCIATES,)
P.C.)
THE STANDARD AUTOMOTIVE 401(K) PLAN,))
THE STANDARD AUTOMOTIVE EMPLOYER)
CONTRIBUTION PLAN,)
Defendants.)
_____)

STIPULATION

Pursuant to the agreement at the June 28, 2005 Rule 16 hearing, the undersigned parties stipulate to the entry of a preliminary injunction in substantially the form of Exhibit A. hereto

PLAINTIFFS MARY DESMOND, THOMAS ZIOBROWSKI, And
PAUL WATTS.

By their attorneys,

/s/ Thomas P. Smith
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Date: July 6, 2005

EXHIBIT A

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CONTRIBUTION PLAN,)

Defendants.

PRELIMINARY INJUNCTION

Upon application of the Plaintiffs, and after hearing and stipulation by the defendants, it is hereby ORDERED that:

1. Defendants, and those in active concert with them, are hereby restrained and prevented from taking or permitting any deductions or withdrawals from the Standard Automotive 401(k) Plan or the Standard Automotive Employer Contribution Plan to pay any expenses, whether characterized as “administrative expenses” or otherwise, without the written agreement of Plaintiffs (through counsel) or further order of this Court.

Date:

(Gertner, District Judge)